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C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000460

SIPDIS

STATE FOR EAP/BCLTV; PACOM FOR FPA

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TAGS: PGOV PHUM PINS BM NLD

SUBJECT: SHAN EXILES GET A RISE OUT OF BURMESE

GENERALS--AND THE NLD

REF: A. RANGOON 332

1B. RANGOON 201 AND PREVIOUS

1C. RANGOON 62

Classified By: DCM Ronald K. McMullen for Reasons 1.4 (b,d)

11. (C) Summary: Reacting to a recent exile-based declaration of independence for the "Federated Shan States," the SPDC on April 19 declared a host of unnamed groups as "unlawful associations," which could expose those who support democracy and human rights in Shan State to jail terms of up to 13 years. The National League for Democracy reacted to these events by characterizing the Shan exiles as "irresponsible" and issued its own statement that rejected any attempt to secede or to oppose the achievement of a "genuine Union." The SPDC's quick reaction to the Shan independence declaration, despite the fact that the declaration is unlikely to have any impact inside Burma, is part of an ongoing effort to deter any attempt to unify ethnic political and/or military groups. End Summary.

12. (U) On April 19, the GOB's Minister of Home Affairs, Maj-Gen Maung Oo, issued an ominous notification that declared unnamed groups linked to Sao Hkam Hpa, an exiled ethnic Shan politician, as "unlawful associations." Maung Oo's vague statement, issued via official radio and published in the state press on April 20, said that the Chairman of the State Peace and Development Council, Sr Gen Than Shwe, "believes that the aims and acts of groups led by renegade Sao Hkam Hpa, its members, and other related groups and individuals endanger the law enforcement of the Union of Myanmar, stability of the State, and peace and tranquillity of the entire people."

13. (U) The SPDC's unusual statement was precipitated by an April 17 statement by Sao Kham Hpa (aka Surkhanpha), who issued a "declaration of independence" for the "Federated Shan States" and appointed himself as head of state. Sao Kham Hpa, who lives in exile in Canada, is the son of Burma's first president, Sao Shwe Thaik, and a descendent of ethnic Shan royalty. In his statement, he criticized successive Burmese military regimes for having "occupied and subjugated us for 43 years" and declared that "we are presently at war to expel foreign occupation troops from our lands," promising to hold general elections "as soon as it is practical" to create a bi-cameral Congress or Parliament.

14. (SBU) On April 20, P/E chief met with NLD Chairman U Aung Shwe and Secretary U Lwin. The party issued its own statement on April 19 underscoring its policy "to work hand in hand with all ethnic nationalities in solidarity for development, peace, and tranquillity toward the sovereignty of the Union." The party said that it would never support efforts that undermined the sovereignty of the Union, including a parallel government, and declared that the States and Divisions of the Union "must never secede." U Lwin added to us that the NLD, "including Aung San Suu Kyi," has never advocated a federal system, but rather supports "only the pursuit of a true and genuine Union."

15. (C) U Aung Shwe characterized the Shan exiles as "highly irresponsible" for making pronouncements outside of Burma that have serious repercussions inside the country. He said the SPDC would use Sao Kham Hpa's "declaration of independence" as a pretext for a further crackdown on the pro-democracy movement in Shan State and pointed to the Home Minister's statement as an example. The SPDC's "unlawful association" notification, U Aung Shwe said, was purposefully "broad and ill-defined," which will allow the regime to "go after just about anyone" who supports democracy and human rights in Shan State.

16. (U) The SPDC has been particularly pre-occupied with Shan State in recent months, having arrested in February the core leadership of the pro-democracy (and legally registered) Shan Nationalities League for Democracy (SNLD)(ref B); dealt with the possible "defection" of several Shan cease-fire groups from the National Convention (ref A), one of which ended up boycotting the most recent session (the Shan State National Army-SSNA); pondered the implications of U.S. federal

indictments unsealed in January against the United Wa State Army (UWSA)(ref C); and observed renewed armed conflict between the UWSA and the Shan State Army-South (SSA-S).

17. (C) The NLD's U Lwin, acknowledging that the Burmese regime "has its hands full" with a host of sticky issues in Shan State, said that the "unlawful association" notification reflects the SPDC's genuine fear that a secessionist movement could take hold among ethnic Shan groups. "The GOB is scared," he added. (Note: The Unlawful Associations Act, which dates back to 1908, imposes a 5-year jail term for the leaders of such groups and a 3-year term for "associated" individuals. However, the regime generally invokes the Act along with the emergency and state security provisions of other laws to tack on an additional five to seven years imprisonment. End Note.)

18. (C) Comment: Sao Hkam Hpa's declaration, and others by several of his exile associates, carry very little weight in Shan State, Burma's largest administrative region and home to dozens of ethnic minority groups. The appeal for an independent federation of Shan states may resonate with some ethnic Shan who look back nostalgically to historic periods when Shan princes ruled the region. However, decades of ethnic and political strife, compounded by the SPDC's "divide and conquer" tactics, have resulted in a "state" that lacks any internal cohesion. The SPDC's quick reaction to this exile declaration, which the generals could easily have ignored, is clearly designed to enhance ongoing efforts to deter any attempt to unify ethnic political and/or military groups. End Comment.

Martinez